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*SAMSUNG ELECTRONICS AMERICA, INC.*

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

NEIL LIEBICK, SHARON CLARK,  
individually and as guardian ad litem for JANE  
DOE 1, JANE DOE 2, and JOHN DOE, and  
JASON FRANKLIN,

Plaintiffs,

v.

SAMSUNG ELECTRONICS AMERICA,  
INC., and  
COSTCO WHOLESALE CORP.

Defendants.

CASE NO. 2:25-cv-01300-DJC-DMC

**STIPULATION AND ORDER TO FILE  
FOURTH AMENDED COMPLAINT**

Removal Filed: May 5, 2025

Pursuant to Federal Rule of Civil Procedure 15(a)(2) and Local Rule 143, Plaintiffs Neil Liebick, Sharon Clark, individually and as guardian ad litem for Jane Doe 1, Jane Doe 2, and John Doe, and Jason Franklin and Defendants Samsung Electronics America, Inc. (“SEA”) and Costco Wholesale Corporation (“Costco”) (collectively, the “Parties”), by and through their respective counsel, hereby stipulate and agree as follows:

1. The Parties have met and conferred regarding the Third Amended Complaint and the scope of the claims and parties therein.

2. Following these discussions, Plaintiffs have agreed to dismiss Costco from this action without prejudice and revise certain claims against SEA.

3. With these changes, without waiving any of its defenses or admitting to any liability, SEA anticipates filing an answer to the Fourth Amended Complaint, thereby avoiding further motion practice under Federal Rule of Civil Procedure 12(b). Nothing in this stipulation shall be construed as limiting SEA’s ability to challenge any claim or allegation at later stages of the litigation, including through motions for judgment on the pleadings, summary judgment, or at trial.

4. In light of these agreements, the Parties stipulate to Plaintiffs’ filing of a Fourth Amended Complaint, a copy of which is attached hereto as **Exhibit A**.

5. For the convenience of the Court, a “redline” version showing the changes from the Third Amended Complaint is attached hereto as **Exhibit B**.

6. All Defendants hereby provide written consent to the filing of this Fourth Amended Complaint pursuant to FRCP 15(a)(2).

7. SEA shall file a response to the Fourth Amended Complaint within seven (7) days of the date the Court enters an order approving the filing of the Fourth Amended Complaint.

**IT IS SO STIPULATED.**

Dated: January 6, 2026

**GREENBERG TRAURIG, LLP**

By: /s/ Anna Yeung  
Robert J. Herrington  
Anna Yeung

Attorneys for Defendant  
Samsung Electronics America, Inc.

1 Dated: January 6, 2026

**MAIRE & DEEDON**

2 /s/ Patrick L. Deedon

3 Patrick L. Deedon

John R. Powell

4 Attorneys for Defendant,

5 Costco Wholesale Corp.

6 Dated: January 6, 2026

**COOK LAW GROUP**

7 By: /s/ Ronald J. Cook

8 Ronald J. Cook

9 Attorney for Plaintiffs

**ORDER**

The Court, having considered the Parties' Stipulation and [Proposed] Order to File a Fourth Amended Complaint, and good cause appearing, **IT IS HEREBY ORDERED THAT:**

1. Plaintiffs are **GRANTED** leave to file the Fourth Amended Complaint attached as Exhibit A to the Parties' Stipulation;
2. Defendant Costco Wholesale Corporation is hereby **DISMISSED** from this action without prejudice, and the Clerk of the Court is directed to terminate this defendant on the docket;
3. Plaintiffs shall thereafter file the Fourth Amended Complaint, currently attached as Exhibit A to the Parties' Stipulation, as a separate entry on the docket; and
4. Defendant Samsung Electronics America, Inc. shall have seven (7) days from the date of this Order to file a response to the Fourth Amended Complaint.

**IT IS SO ORDERED.**

Dated: January 6, 2026

/s/ Daniel J. Calabretta

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THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE